THE HONOURABLE SRI JUSTICE

A.GOPAL REDDY

W.P.No.7128 of 2006

Dt.13-04-2006

Between:

A.Dayaludu

..Petitioner

and

1.Govt. of A.P. rep. by District Collector,

Chittoor district and others.

..Respondents.

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W.P.No.7128 of 2006

Oral Order:

On issuance of show cause notice to the fair price shop dealer—petitioner herein pointing out certain illegalities in distribution of essential commodities he submitted his explanation on 26-12-2005 stating that due to ill health he did not lift the essential commodities for three months and in the month of February, 2006 when he submitted DD to the 3rd respondent he was informed that for the month of February stock in charge dealer has already paid the amount and lifted the stock and he can submit DD for lifting the stock for the month of March, 2006. Petitioner sent the DD through registered post on 07-03-2006, which was received by the 3rd respondent o n 08-03-2006 but failed to release the essential commodities for enabling the

petitioner to distribute the same to the cardholders. Therefore, he filed the present writ petition for issuance of Mandamus declaring the action of the respondents 2 and 3 in not releasing the essential commodities as illegal, arbitrary and violative of principles of natural justice.

Before invoking the jurisdiction of this Court petitioner has not approached the District Collector who is the over all in charge for distribution of essential commodities in the district. In view of the same, petitioner is at liberty to move the District Collector by making a representation and on making such representation the District Collector can pass appropriate orders within two weeks from the date of receipt of such representation.

Writ Petition is accordingly disposed of. No costs.

_____ A.GOPAL REDDY, J.

13-04-2006

Murthy